OCT 2 6 2004

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (714) 557-3800

Patent and Trademark Office.

INTELLECTUAL PROPERTY LAW 12400 WILSHIRE BOULEVARD, 7TH FLOOR LOS ANGELES, CA 90025

FACSIMILE: (714) 557-3347

FACSIMILE COVER SHEET

	Deliver to: Vincent E. Kovalick, USP1	O Art Group:2673
Fac	simile No.: <u>703-872-9306</u>	Date: October 26, 2004
	From: William W. Schaal, Reg. N	0. 39,018
Our I	Docket No.: 42390P6729	Number of pages10including this sheet.
Appli	cation No.: <u>09/540,166</u>	Filing Date: 3/31/2000
		Docket Due Date(s): 10/29/2004
inclo	sed are the following documents:	1
(Hanksan)	ននា ទាសនាការសុខភាពសំណើតនេះការអាយាយនយោកនេះសេខជំនាននាសាយរាគ្នាសុខក្រុងការការអាយាយនៃវិស្តាសុខការនេះ	Issue Fee Transmittal
	Amendment: <u>Response</u> (<u>-6</u> pgs) Appeal Brief (in triplicate) (<u>pgs</u>)	☐ Notice of Appeal
	Application:	Petition for:
_	(pgs) w/cover & abstract)	☐ Request for Continued Examination (RCE)
	, , , , , , , , , , , , , , , , , , , ,	Reply Brief (pgs)
×	Certificate of Eacsimile	☐ Request & Certification Under 35 USC 122(b)(2)(B)(i)
	Continued Prosecution Application (CPA)	Request to Rescind Previous Nonpublication Request
	Declaration & POA (pgs)	☐ Response to Notice of Missing Parts & Formalities Letter
	Drawings:sheets, figures	Response to Written Opinion (pgs)
	Extension of Time:	☐ Terminal Disclaimer
×	Fee Transmittal (in duplicate)	☐ Transmittal of Publication Fee Due
	IDS & PTO/SB/08 (pgs)	☑ Transmittal Letter

Confidentiality Note: The documents accompanying this facsimile transmission contain information from the law firm of Blakety, Sokoloff, Taylor & Zafman which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

10/26/2004

If you do not receive all the pages, or if there is any difficulty in receiving, please call: (714) 557-3800 and ask for Susan McFarlane.

RECEIVED P.2/10 CENTRAL FAX CENTER

OCT 2 6 2004

TDANK	TTAL E	OD84	Application No.	09/54	09/540,166								
IRAN	TTAL F	JRIVI	Filing Date	Marc	March 31, 2000								
(to be used for all	spondence afte	r initial filing)	First Named Inventor	Scott	A. Rosenberg								
				Art Unit	2673								
			Examiner Name	Vince	ent E. Kovalick								
Total Number of	Pages	in This Submissi	on 9	Attorney Docket Numb	er 4239	0P6729							
ENCLOSURES (check all that apply)													
Fee Transmittal Form			Drawing(s)			After Allowance Communication to Group							
Fee Attac	ched		Licensing-related Papers			Appeal Communication to Board of Appeals and Interferences							
Amendment/R	espons	se	Petition			Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)							
After Final Affidavits/declaration(s)			Petition to Convert a Provisional Application			Proprietary Information							
Extension of Time Request			Power of Attorney, Revocation Change of Correspondence Address			Status Letter							
Express Abandonment Request			Terminal Disclaimer			Other Endosure(s) (please Identify below):							
Information Disclosure Statement			Request for Refund										
PTO/SB/08			CD, Number of CD(s)										
Certifled Copy of Priority Document(s)						1							
Response to Missing Parts/ Incomplete Application			Remarks										
Basic Filing Fee Declaration/POA			· · ·										
Response to Missing Parts under 37 CFR 1.52 or 1.53													
		SIGNATURI	OF APPLICAN	IT, ATTORNEY, OR	GENT								
Firm or	77 Main 77 : Solidai, 106. 1701 57,010												
Individual name	LP												
Signature	_	///_	2/										
Date	6	etober 26, 24	904										
				ING/TRANSMISSION									
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.													
Typed or printed na	me	Susan McFa	rlane										
Signature		Sun Morrisage Di				October 26, 2004							

OCT-26-2004 15:08 From:BSTZ

10/26/04

Date

FEE TO ANOMITTAL		Complete If Known						
FEE TRANSMITTAL		Application Number 09/540,166						
for FY 2004		Filing Date			March 31, 2000			
Effective 10/01/2004. Patent fees are subject to annual revision		First Named Inventor			Scott A. Rosenberg			
Applicant claims small entity status. See 37 CFR 1.27.		Examiner Name			Vincent E. Kovalick			
		Art Unit 2673			2673			
TOTAL AMOUNT OF PAYMENT (\$) 0	.00 Attorney Docket No.		No.	42390P6729				
	ī							
METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)						
Check Credit card Money Other None	3.	ADDITIO	NAL F	EES	5			
Deposit Account	La	Large Entity Small Entity						
	Fe		Fee	Fee	_			
Deposit Account 02-2666	Co	de (S)	Code	(\$)	Fee Description	Fee Paid		
Account Number 02-2666	108		2051	65	Surcharge - late filing fee or oath			
Deposit	105	52 50	2052	25	Surcharge - late provisional fling fee or cover sheet.			
Account Name Blakely, Sokoloff, Taylor & Zafman LLP	205	sa 130	2053	130	Non-English specification			
The Commissioner is authorized to: (check all that epply)	181		1	2,520	For filing a request for ex parte reexamination			
Charge foe(s) indicated below Credit any overpayments	180	920*	1804	920	Requesting publication of StR prior to			
Charge any additional facial or undergrapher of long as convired under 37					Examiner action			
CFR §§ 1.16, 1.17, 1.18 and 1.20.	180	5 1.840 °	1805	1,840 `	Requesting publication of SIR after Examiner action			
Charge fee(s) indicated below, except for the filling fee to the above-identified deposit account		51 110	2251	55				
FEE CALCULATION	125		2252	215	Extension for reply within second month			
	125		2253	490	Extension for reply within third month			
1. BASIC FILING FEE Large Enthy Small Enthy	126	~	2254		Extension for reply within fourth month			
Fee Fee Fee Fee Description Fee Paid	125	•		1,040	Extension for reply within fifth month			
Code (5) Code (5)	140		2401	170	Notice of Appeal			
1001 790 2001 395 Utility filing fee	ŀ		2402	170	Filing a brief in support of an appeal			
1002 350 2002 175 Dosign filing fee	140			150	Request for one hearing			
1003 550 2003 275 Plant filing fee	140		2403	1,510	Petition to institute a public use proceeding			
1004 790 2004 395 Reissue fling fee	146		2451 2452	55	Petition to revive - unavoidable			
1005 160 2005 80 Provisional filing fee	145		2453	685	Petition to revive - unintentional			
SUBTOTAL (1) (5)	145		1	6A5	Utility issue fee (or reissue)			
	150 150		2501 2502	245	Design issue fee			
2. EXTRA CLAIM FEES Extra Fee from Catrins below Fee Paid	150		2503	330	Plant issue fee			
Total Clares	146		2460	130	Petitions to the Commissioner			
Independent 9 9 90 5 80 00	180		1807	50	Prosessing fee under 37 CFR 1.17(q)			
Claims 3 3 0 x 88.00 = \$0.00	ŀ		1806	180	Submission of Information Disclosure Stmt			
	180				<u>.</u>			
Largo Entity Small Entity	802	21 40	8021	40	Recording each patent assignment per property (times number of properties)			
Fee Foe Fee Fee <u>Fee Description</u> Code (5) Code (6)	180	yg 790	1809	395	Filing a submission after final rejection			
1202 18 2202 9 Claims in excess of 20	l				(37 CFR § 1.129(a))			
1201 88 2201 44 Independent claims in excess of 3	. 181	10 790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))			
1203 300 2203 150 Multiple Dependent claim, if not paid	180	1 790	2801	395	Request for Continued Examination (RCE)	 !		
1204 88 2204 44 "Reissue Independent claims over original patent	180		1802	900	Request for expedited examination			
	•				of a design application	٠.		
1206 18 2205 9 "Reissue claims in excess of 20 and over original patent	Othe	r fee (specify)			·			
SUBTOTAL (2) (\$) 0.00	!					'		
**or number previously pold, if greater, For Relssues, see below	• Redu	oed by Basic Film	g Fee Pati		SUBTOTAL (3) (5)			
	<u> </u>				Complete HE control	10)		
SUBMITTED BY		Registration	n No	1	Complete (if applicab			
Name (Print/Type) William W. Seliaal		(Attomey/Age		3	19,018 Telephone (714) 557-	-3800		

Signature

Appl. No. 09/540,166
Amdt. Dated 10/26//2004
Reply to Office Action of 07/29/2004

RECEIVED CENTRAL FAX CENTER

OCT 2 6 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application. No. :

09/540,166

Confirmation No. 2691

Applicant

Rosenberg, et al.

Filed

03/31/2000

TC/A.U.

2673

Examiner

Vincent E. Kovalick

Docket No.

042390.P6729

Customer No.

8791

Commissioner for Patents PO Box 1450 Alexandria VA 22313-1450

AMENDMENT

Sir:

In response to the Office action of July 29, 2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.